



Patent
259/272

sector #
#3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **PETER LEA, et al.**)
Serial No: 09/866,305)
Filed: May 25, 2001)
For: ASSAY DEVICE)

Art Group: 1641

**RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NON-PROVISIONAL APPLICATION**

Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to a Notice of Missing Parts of Non-Provisional Application ("Notice") mailed July 6, 2001 in the above-enclosed patent application, enclosed are the following:

- 1) Declaration, attached to a copy of the specification, claims, abstract and drawings filed on May 25, 2001;
- 2) Preliminary Amendment; and
- 3) Copy of Notice.

CERTIFICATE OF MAILING
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

September 06, 2001
Date of Deposit

WP-16099v1

Tina Kavanaugh

Name of Person Mailing Paper

Tina Kavanagh

Signature of Person Mailing Paper

Please charge deposit account No. 12-2475 for the \$65.00 surcharge fee and any additional charges which are due. A copy of this authorization is enclosed.

Respectfully submitted,

LYON & LYON LLP

By: 
Brandon N. Sklar
Reg. No. 31,667
Telephone No: (914) 421-4635

633 West Fifth Street, Suite 4700
Los Angeles, California 90071-2066

#3



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/866,305	05/25/2001	Peter Lea	259/272

22249
 LYON & LYON LLP
 SUITE 4700
 633 WEST FIFTH STREET
 LOS ANGELES, CA 90071-2066

CONFIRMATION NO. 4707

FORMALITIES LETTER



OC00000006264023

Date Mailed: 07/06/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

09/12/2001 11012001 00000072 022475 09066305

01 708203

65.00 C